

Montana Judicial Districts

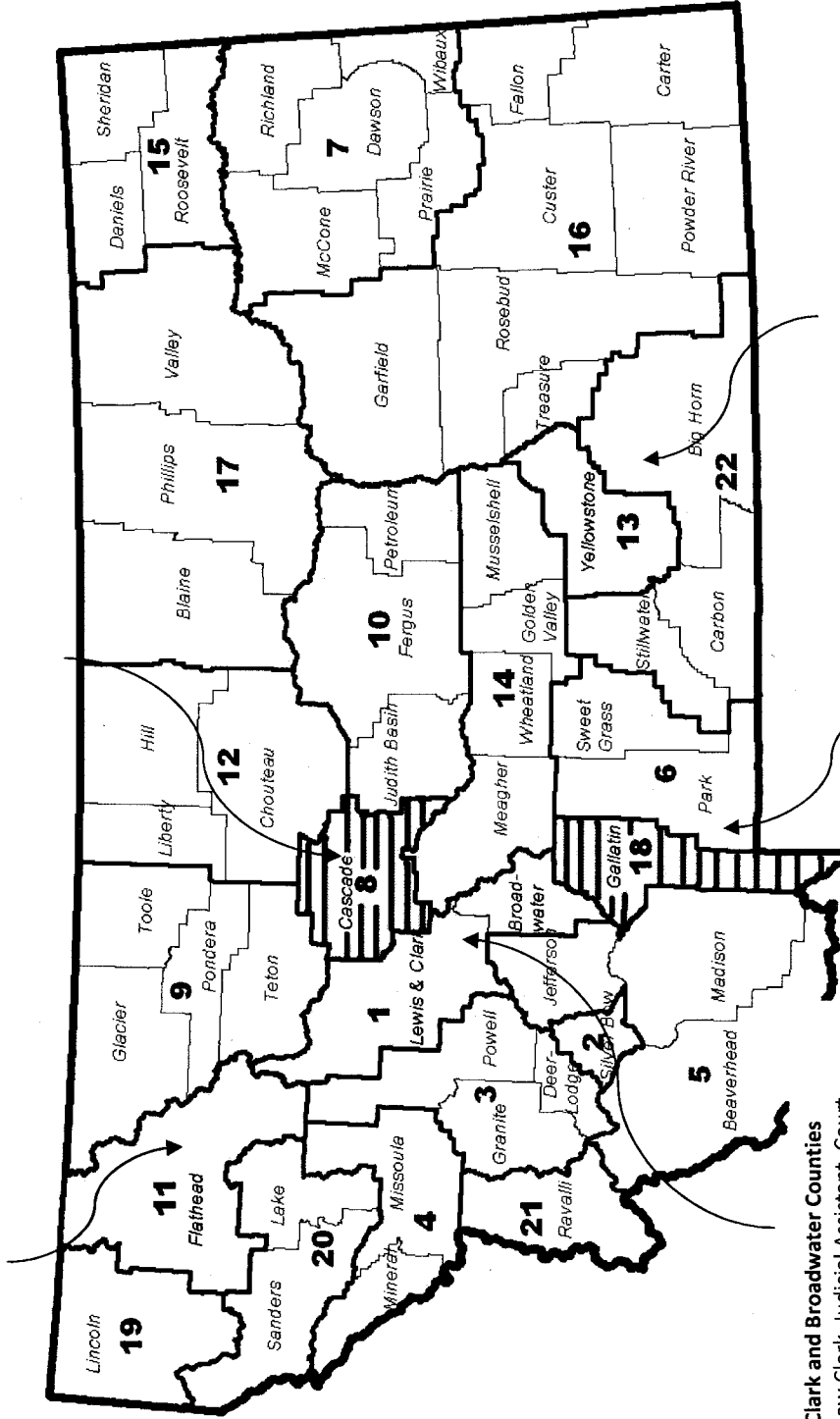
March 2009

JD 11 – Flathead County

Support Staff: Law Clerk and Judicial Assistant

JD 8 – Cascade County

Support Staff: Law Clerk and Judicial Assistant



JD 1 – Lewis & Clark and Broadwater Counties

Support Staff: Law Clerk, Judicial Assistant, Court Reporter

JD 13 – Yellowstone County

Support Staff: 2 Law Clerks, 2 Judicial Assistants

JD 18 – Gallatin County

Support Staff: Law Clerk and Judicial Assistant

□ Included in HB2

▨ Not included in HB2

EXHIBIT 1

DATE 3/22/09

SB 152

MONTANA JUDICIAL BRANCH
Additional District Court Judges Proposal
Prepared by Office of Court Administrator
March 2009

BACKGROUND INFORMATION

Judicial Workload Assessment Study

- In 2006, district court judges, with assistance from National Center for State Courts, conducted a judicial workload assessment study.
 - Judges tracked time spent on cases by case type and on judicial task for a 6-week period.
- The workload study provided empirical data for making decisions about allocation of judicial resources.
 - Study results demonstrated that judges face increasingly large and complex caseloads, which impact ability to resolve cases in timely manner.
- The study showed need for 9 to 13 additional judges with the greatest need in urban counties.

District Court Council Recommendation

- Based on study results, the District Court Council (DCC) recommended adding the following judicial resources:
 - **1st Judicial District** (Lewis & Clark and Broadwater Counties): one judge and one standing master
 - **8th Judicial District** (Cascade County): one judge
 - **11th Judicial District** (Flathead County): one judge and one standing master
 - **13th Judicial District** (Yellowstone County): two judges
 - **18th Judicial District** (Gallatin County): one judge
- The DCC considered several judicial redistricting proposals to better balance caseloads but rejected the proposals because they generally created larger districts that would substantially increase a judge's windshield time.

HB 2 FUNDING

- The Judicial Branch requested funding for the following in HB 2:
 - ▶ Six judges -- one each in the 1st (Lewis & Clark and Broadwater Counties), 8th (Cascade County), 11th (Flathead County), and 18th (Gallatin County) Judicial Districts and two in the 13th (Yellowstone County) Judicial District -- to take office January 2011.
 - ▶ Support staff for the new judges:
 - 1st Judicial District: judicial assistant, court reporter, and law clerk
 - 8th Judicial District: judicial assistant and court reporter
 - 11th, 18th, and 13th Judicial Districts (each judge): judicial assistant and law clerk.
 - ▶ Two standing masters -- one each in the 1st (Lewis & Clark and Broadwater Counties) and 11th (Flathead County) Judicial Districts -- to begin work January 2011.
- The Judicial Branch's budget request was **reduced** by the House of Representatives. HB 2 now contains funding (\$560,327) for the following positions:
 - Three judges -- one each in the 1st (Lewis and Clark and Broadwater Counties), 11th (Flathead County), and 13th (Yellowstone County) Judicial Districts -- to take office January 2011.
 - One judicial assistant, court reporter, and law clerk for the new judge in the 1st Judicial District and one judicial assistant and law clerk for each new judge in the 11th and 13th Judicial Districts.

SB 158: COMPANION LEGISLATION

- As introduced, SB 158 added one judge in the 1st, 8th, 11th, and 18th Judicial Districts and two judges in the 13th Judicial District.
- The Senate Judiciary Committee amended SB 158 to:
 - provide for election of the additional judges; and
 - add a contingent voidness clause that would void the bill if HB 2 is passed and approved and does not provide funding for the additional judges and support staff.